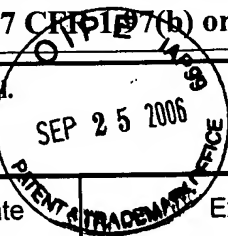


dw

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
02530029AA

In Re Application Of: Ooki et al.



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/668,260	9-24-03	unknown	30743	2154	7772

Title: INTERNET CONNECTION SYSTEM

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

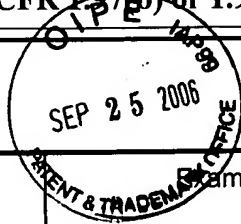
**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
02530029AA

In Re Application of: Ooki et al.



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
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Title: INTERNET CONNECTION SYSTEM

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-2041  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

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(Date)

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\_\_\_\_\_  
(Date)

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Signature of Person Mailing Correspondence

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Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

\_\_\_\_\_  
Signature

Dated: 9-25-06

Michael E. Whitham  
Reg. No. 32,635  
Whitham, Curtis, Christofferson & Cook P.C.  
11491 Sunset Hills Road  
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Reston, Va. 20190  
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Customer # 30743

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Ooki et al.

Serial No. 10/668,260

Group Art Unit: 2154

Filed: 9-24-03

Examiner: unknown

For: **INTERNET CONNECTION SYSTEM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Va. 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Under the provisions of 37 C.F.R. 1.97 through 1.99 and pursuant to applicant's duty of disclosure under 37 C.F.R. 1.56, applicant respectfully brings the following documents, which are cited in a Japanese Office Action and listed on the attached form PTO-1449, to the attention of the Examiner in charge of the above-identified application. Copies of the listed documents are provided herewith for the convenience of the Examiner.

This citation does not constitute an admission that the references are relevant or material to the claims. They are only cited as constituting related art of which the applicant is aware.

In compliance with the requirements of 37 C.F.R. §1.98 (a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of a portion of the official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. Patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the same subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments



submitted herewith. It is respectfully requested that the listed references be formally made of record in the application. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041

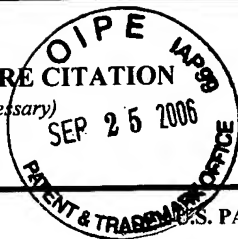
Respectfully submitted,

Michael E. Whitham

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11491 Sunset Hills Road  
Suite 340  
Reston, Va. 20190  
703-787-9400  
**Customer # 30743**

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

02530029AA

Application Number

10/668,260

Applicant(s)

Ooki et al

Filing Date

9-24-03

Group Art Unit

2154

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	1	2002-198959	7-12-02	Japan	abstract		✓	
	2	2002-016650	1-18-02	Japan	abstract		✓	
	3	2002-300324	10-11-02	Japan	abstract		✓	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	1	Japanese Office Action dated November 2, 2005 with English translation of pertinent portions

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

02530029AA

Record (See the Reference Citation List to obtain the citation)

Claims 1, 3-5 and 14-17

Citations 1-3

Remarks:

As recorded in Citations 1-3, the assessment of a fee for each bandwidth used by a user would be commonly applied technology to one skilled in the art.

In addition, determining the maximum communication rate is also something which is generally accomplished by one skilled in the art.

There is no recognized exceptional technical difference between the known and commonly applied technology represented in Citations 1-3 and the invention relating to Claims 1, 3-5 and 14-17 of the present application.

In the event that further reasons for rejection are discovered in the future, you will be notified of such reasons.

Reference Citation List

1. Japanese Unexamined Patent Application 2002-198959
2. Japanese Unexamined Patent Application 2002-016650
3. Japanese Unexamined Patent Application 2002-300324

.....  
Record of the Examination Results relating to Documents of the Prior Art

- Examined Technical Field:    IPC 7th Edition

H041, 12/00-12/26  
12/50-12/66

The record of the examination results relating to documents of the prior art does not constitute the grounds for rejection.